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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,151	03/11/2004	Kelvin R. Porter	RIC98034C1	5584
25537	7590	06/25/2007		
VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER LIM, KRISNA	
			ART UNIT 2153	PAPER NUMBER
			NOTIFICATION DATE 06/25/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

Office Action Summary	Application No. 10/798,151	Applicant(s) PORTER, KELVIN R.	
	Examiner Krisna Lim	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-20 are presented for examination.
2. The title of the invention is neither descriptive nor precise. A new title is required which should include, using twenty words or fewer, claimed features that differentiate the invention from the Prior Art. The title should reflect the gist of or the improvement of the present invention.
3. The disclosure is objected to because of the following informalities:
 - (a) On page 12, the text of the first paragraph should be updated with the current status of the cited applications such as U.S. Patent Application Serial No., a filing date, U.S. Patent No., and the issued date. Appropriate correction is required.
4. Claims 1-20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1-20, The term "ANY VERB+ABLE" (e.g., interpretable, executable, in claims 1-20 renders claim indefinite because the term "ANY VERB+ABLE" is an unsettled or relative term. See MPEP § 2173.05(d).

In claim 1, it is unclear what the applicant really means by "at least one recorded service processing event representing service processing activity that has transpired in the communication system". First of all, it is unclear what kind of service processing activity that has transpired in the communication system. Secondly, it is unclear what kind of service processing event that the applicant is talking about. It is unclear what the applicant really means by "general-purpose processing environment." For example, is it a general processor?, is it a CPU? Or something else? It is unclear what applicant really means by "at least one memory space". What kind of one memory space is it? For example, is it a bit? a register? a buffer? a file?, or database?, or something else? Moreover, the essential structural cooperative relationships of the claimed elements are unclear or missing. Such missing or omission of elements

Art Unit: 2153

amount to a gap between the necessary structural connections which makes the claim indefinite. See MPEP § 2172.01.

In claim 2, it is unclear what the applicant really means by “a persistently stored library of instructions?” Is it a file? or is it a register. Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “a persistently stored library of instructions” in claim 2 is used by the claim to mean “a persistently stored library of instructions”, while the accepted meaning is a file or a register. The term is indefinite because the specification does not clearly redefine the term.

In claims 3-4, it is unclear what the applicant really means by “the persistently stored library”.

In claim 4, it is unclear what the applicant really means by “an indicator within the interpretable file”. Is it an address pointer or stack pointer, a program counter, etc.?

In claim 18, it is unclear what the applicant really means by “the code-let”. Moreover, the code-let lacks clear antecedent basis.

In claim 19, it is unclear what the applicant really means by “event bundler”. The first occurrence of “the session processing event record” lacks clear antecedent basis.

As to claims 6-17 and 20, they contain similar situation as in claims 1-4 and 18-19.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2153

6. Claims 1-20 are rejected under 35 U.S.C. §102(b) as being anticipated by Shridhar et al. [U.S. Patent No. 5,727,194].

7. Shridhar et al. anticipates (e.g., see Figs. 1-9C) the invention substantially as claimed. Taking claim 12 as an exemplary claim, the reference anticipates a record processor (a computer system 100 including DSP 110 and a microprocessor 106) for processing an interpretable file (120) generated by a communications system, the interpretable file comprising at least one recorded service processing event (opcode) representing service processing activity (operand) that has transpired in the communications system and comprising at least one instruction (one of the instructions 164, col. 7, line 9) for processing the recorded service processing event, the record processor comprising: a) at least one general-purpose processing environment (DSP 110, col. 6, line 50, cols. 7-8) comprising at least one memory space (a register start, a register end, a register counter); and at least one interpreter (a compiler 128c, or an assembler 128b, cols. 7-8) that receives and parses an interpretable file generated by a communications system, loads the instruction into the memory space (fetch 112, col. 6 (line 51), cols. 7-8), and processes the recorded service processing event in the interpretable file by executing the instruction (execute 116, col. 6 (line 51), cols. 7-8) loaded (fetched) in the general-purpose processing environment (110, col. 6, line 50, cols. 7-8).

8. As to claim 2, Shridhar et al. further anticipates a persistently stored library of instructions (128 D-1') and data (119) needed for processing the recorded service processing event (e.g., see cols. 7-8).

9. As to claim 3, Shridhar et al. further anticipates the instruction (164) obtained from the interpretable file is uploaded (fetched) into the persistently stored library (e.g., see cols. 7-8).

10. As to claim 4, Shridhar et al. further anticipates the instruction (164) is selectively uploaded (fetched) into the persistently stored library (primary memory 118) responsive to an indicator (PC 144) within the interpretable file (e.g., see cols. 7-8).

11. As to claim 5, Shridhar et al. further anticipates a record processor for processing an executable file (DP-exec 128d of Fig. 1) created by a communications system to represent at least one service processing event (opcode) indicating service processing activity (operand) that has occurred in the communications system, the record processor comprising a general-purpose execution environment (DSP 110) into which the executable file is loaded (fetch 112) and executed (Execute 116) to accomplish processing of the service processing event (e.g., see cols. 7-8).

12. As to claim 6, Shridhar et al. further anticipates a method for processing of an executable file (DP-exec 128d) created by a communications network in the course of service processing, wherein the executable file comprises at least one service processing event (opcode) and at least one instruction (one of instructions 164) for processing the service processing event, the method comprising: receiving the executable file from the communications network; loading (fetch 112) the executable file into an execution environment (DSP 110); and executing (execute 116) the executable file to accomplish processing of the service processing event using the instruction (e.g., see cols. 7-8).

13. Claims 7-20 are similar in scope as of claims 1-6 with the additional features of code-let and event bundler. Such code-let (instruction sets, cols. 7-8) and event bundler (loop, cols. 7-8) are clearly anticipated by Shridhar, and therefore claims 7-20 are rejected for the same reasons set forth above for claims 1-6.

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

Art Unit: 2153

A shortened statutory period for response to this action is set to expire 3 (three) months and 0 (zero) days from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the application (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

June 14, 2007



KRISNA LIM
PRIMARY EXAMINER